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## REPORT OF THE COUNCIL.

MAY 30, 1882.

SINCE the last Report, May 24, 1881, the Academy has lost by death eighteen members, as follows: — eight Resident Fellows: John Bacon, Richard H. Dana, Ralph Waldo Emerson, Thomas P. James, Henry W. Longfellow, John A. Lowell, Theophilus Parsons, and Edward Reynolds; five Associate Fellows: Edward Desor, John W. Draper, Lewis H. Morgan, St. Julien Ravenel, and John Rodgers; and five Foreign Honorary Members: J. C. Bluntschli, Charles Darwin, Joseph Decaisne, Theodor Schwann, and Dean Stanley.

### RESIDENT FELLOWS.

#### RICHARD HENRY DANA.

RICHARD H. DANA was born in Cambridge, Aug. 1, 1815. He and his brother Edmund attended school at Cambridgeport with Dr. O. W. Holmes and Margaret Fuller, who were, however, too old to be his associates. He entered Harvard College in the Freshman Class of 1831-2. In his Junior year he suffered from weakness of the eyes, and was forced to abandon his studies, making his famous sea voyage before the mast, and visiting what was then a strange country, California. Returning to college, he graduated in 1837 and entered the Law School, where he took the degree of LL.B. in 1839. The next year he assisted Professor Edward T. Channing by teaching elocution in the college.

Mr. Dana had inherited a taste for law, and also for literature. His grandfather, Francis Dana, who was born in Charlestown in 1743, at a critical period, was in responsible positions in the public service from

1774 to 1784. He was Judge in the Supreme Court of Massachusetts from 1785 to 1792, and Chief Justice from 1792 to 1806. As one of the founders of this Academy, a member of its Council from 1789 to 1805, and its Vice-President from 1805 to 1807, he is worthy of commemoration. His son, Richard H. Dana, Sr., was born in Cambridge in 1787, and graduated at Harvard College in 1808. In 1814 he entered the literary alliance which started the "North American Review," and in 1818-19 he was associated with Professor E. T. Channing in the editorship of it. Though he studied law, was admitted to the Boston Bar in 1811, and began practice in Cambridge the next year, serving also as member of the Legislature, he was for many years previous to his death, on July 2, 1879, only remembered as one of the early pioneers in American letters. In 1821-2 he published the "Idle Man." The "Buccaneer and other Poems," which was printed in 1827, was praised by Wilson in "Blackwood's Magazine" as being "the most powerful and original of American poetical compositions." When Richard H. Dana the younger graduated, the subject of his Part was: "Heaven lies about us in our infancy." This heaven, in his case, was the tastes and talents he had inherited.

What seemed at the time to be an unfortunate interruption in the college studies of the younger Dana turned out to his great advantage. It gave him a courage and robustness of character for which he found full exercise in later years. His "Two Years before the Mast," first published in 1840, which Dr. O. W. Holmes has characterized as the "Odyssey of the fore-castle," has acquired a perennial popularity and made the literary reputation of its author. In the school at Amsterdam, where boys pass through a three years course of education for the merchant service, twelve copies are required in the library to supply the constant demand of the students for a book which competes successfully with Defoe's stories. Mr. Dana's interest in sailors, whose hardships, privations, and dangers he had shared, led him to publish another book in 1841 under the title of the "Seaman's Friend." This description of sea usages was republished in England under the name of the "Seaman's Manual." His next volume, "To Cuba and Back," which appeared in 1859, was the fruit of a short trip in which he was seeking rest from his professional labors. In 1859-60, Mr. Dana made the grand tour of the earth, stopping at the Hawaiian Islands, China, Japan, Ceylon, India, and Egypt, and revisiting California. His vivid description of this journey remains only in the memory of friends, except what relates to California. For that the public is indebted to the second edition, in 1869, of his

first book, in which he records the pleasant recognition of old acquaintances in the Bay of San Francisco, and gives the reader all that is known of the history of his former shipmates, and of the ship itself, until it sank, a victim to the Confederate cruiser "Alabama."

In 1850 Mr. Dana edited "Lectures on Art, and Poems by Washington Allston." He wrote for the "Law Reporter," "the American Law Review," and the "North American Review." His eulogy on Edward Everett, pronounced at the request of the municipal authorities of Cambridge, on Feb. 22, 1865, and his oration at the centennial celebration, in 1875, of the revolutionary struggle in Lexington, rose to the height of the subject and the occasion, and fulfilled the promise of his youth as a writer and orator.

But these literary works, fascinating to young and old, and these orations, elegant in style and eloquent in delivery, were only episodes in the chosen life-work of their author. Mr. Dana was admitted to the Bar in 1840, and rose rapidly to eminence in his profession. He was familiar with maritime law, and acquired a large practice in questions of admiralty. He had opportunities, which he never lost, to befriend the common seaman, for whom he felt more than a sentimental sympathy. As a lawyer he trusted more to principles and less to precedents. Some of the cases in which he was engaged attracted an unusual share of public attention. In that of the Presbyterian Synod against the Parish of Dr. Channing, he discussed the title to public and religious charities. In Maine he defended the compulsory use of the Bible in the public schools. In 1845 he was engaged in a case of homicide which led to the revision of the criminal statutes in more than one State. He was interested in the Church, and employed to take part in disputes involving its relations to the State. In 1852 he acted in the Prescott controversy, and argued the bearing of the canon law of the Protestant Episcopal Church. After he had carefully prepared himself for his cases, he was ready and glad to meet the most eminent counsel that could be opposed to him.

In public life he realized the ideal scholar in politics. With no aptitude or taste for the practices of the politician, he had the qualities of a statesman. In the Free-Soil movement he was early associated with Charles F. Adams, Edmund Quincy, and John G. Palfrey, being a delegate to the Buffalo Convention of 1848. He was one of the counsel on the side of freedom in the fugitive-slave cases of Shadrack in 1853, and of Burns in 1854. As a member of the Constitutional Convention of Massachusetts in 1853, and as a speaker in the Repub-

lican campaigns of 1856 and 1860, he rendered valuable services to his State and to the country. From 1861 to 1866 Mr. Dana was the United States attorney for Massachusetts, resigning the office when it implicated him in the policy of Andrew Johnson, the acting President. In 1867-8 he gave a course of lectures in the Lowell Institute, and served in the Legislature of Massachusetts. His able discussion of the Usury law led to its repeal, and is reprinted and read now when most speeches are forgotten. In 1868 he entered the lists against General Butler as a candidate for Congress from the Essex district. Had he succeeded, his character, scholarship, and forensic eloquence would have raised him above the level of party to that of statesmanship. His failure is most to be regretted as leading to the coalition in the Senate in 1876 which resulted in his rejection when he was nominated by President Grant as Minister to the Court of St. James. The country could ill afford to lose a name which would have united with those of Everett, Motley, and Lowell in giving dignity to its representation in England.

The Civil War, and the settlement which followed it, raised questions of law with which Mr. Dana was well fitted to grapple. He drew up the Prize Act of 1864, and in connection with Mr. Evarts he argued prize cases before the United States Supreme Court, vindicating the rights of the Government in time of war in dealing not only with the belligerents, but also with loyal citizens. In 1867-8 he appeared before this court in the proceedings again Jefferson Davis. In 1866 he edited a new edition of "Wheaton's Elements of International Law," with additions and annotations of his own. Of his long controversy with a former editor of the book it is only necessary to say that it distracted the mind and wasted the time of Mr. Dana. His health had become the subject of anxiety to his friends, and in 1879 he went abroad, never to return, except for a brief visit after the death of his father. Mr. Dana had now come to be recognized as the highest American authority on international law. His notes on the history of the neutrality laws of the United States had been translated into French for the use of the arbitrators at Geneva, and were quoted by the counsel and in the final decision as authoritative. Mr. Wheaton had been dead many years, and his work was becoming scarce and antiquated. The time was opportune for preparing an independent treatise on the law of nations. Mr. Dana was well equipped for the task, and he might feel a laudable ambition to build upon the foundations partly laid by his grandfather. With this crowning work of his life projected, but hardly begun, but when his improving health gave

promise of its final completion and of his return to this country, he died suddenly of pneumonia at Rome on Jan. 6, 1882, and was buried in the new Protestant cemetery outside the city's walls.

## RALPH WALDO EMERSON.

IN the death of RALPH WALDO EMERSON the Academy has lost a member rarely seen perhaps at its meetings, and not owing his fame to any achievements in the fields in which its discussions are usually engaged, yet from his youth upwards accustomed to follow with a lively and sympathetic interest the triumphant progress of modern science, and always glad of an opportunity to see and to converse with scientific men. "I love facts," he said, "and hate lubricity and people of vague perceptions."

The earliest of his "lectures," read before the Mechanics' Institute in Boston, had for its subject "Water," and it was followed by one upon "The Relations of Man to the Globe." Afterwards he read an essay, entitled "The Naturalist," before the Boston Society of Natural History. His early note-books show many traces of his studies of natural science, and in the last conversation I had with him, a short time before his death, he recurred to what was always a favorite theme, the astonishing advance of scientific discovery during his lifetime. In the series of lectures on the Natural History of the Intellect, first given, I believe, in England in 1848, and repeated, with modifications and additions, in the University Course at Harvard College in 1870, the central idea was that mind is matter come to self-consciousness, so that in the shapes and the laws of the physical world we may trace, as in cipher, the genesis of thought.

Ralph Waldo Emerson was the fourth child and third son of the Rev. William Emerson, minister of the First Church in Boston, and Ruth Haskins. He was born in Boston, May 25, 1803, in the old parsonage in Summer Street, and was the descendant of several lines of faithful ministers, going back to the first settlement of the country; of Peter Bulkeley, one of the first settlers of Concord, Mass., and its first minister; of Daniel Bliss, prominent in Whitfield's "revival"; of the Moodys, famous preachers of Portsmouth and York, and one of them a predecessor of William Emerson in the First Church in Boston. His grandfather, the Rev. William Emerson, of Concord, of revolutionary memory, was the builder of the "Old Manse," and from its windows witnessed the fight at the bridge. Directly afterwards he joined the army as chaplain, and died in the service.